

REMARKS

The Office Action mailed June 27, 2006 considered claims 1-54. Claims 1-12, 14-18, 25-28, 31-36, 38, 41-43, 45-50, 52-54 were rejected under 35 U.S.C. 103(a) as being unpatentable over *Tuatini* (US 2001/0047385) hereinafter *Tuatini* in view of *Lee et al.* (US 6,823,458) hereinafter *Lee*. Claims 1-12, 14-18, 22-28, 31-36, 38, 41-43, 45-50, 52, 55-57, and 59 were rejected as being unpatentable over *Tuatini* in view of *Vong et al.* (US 6,917,373). Claims 29-30 and 51 were rejected under 35 U.S.C. 103(a) as being unpatentable over *Tuatini* in view of *Lee* in further view of *Susaki et al.* (US 6,189,032) hereinafter *Susaki*. Claim 13 was rejected under 35 U.S.C. 103(a) as being unpatentable over *Tuatini* in view of *Lee* in further view of *Robotham et al.* (US 2002/0015042) hereinafter *Robotham*.¹

Claims 1, 27, and 52 have been amended, such that claims 1-21 and 24-54 remain pending of which claims 1, 24, 27, 48, and 52 are the only independent claims at issue. Initially, it will be noted that the present application and United States Patent 6,917,373 (hereinafter "*Vong*") were, at the time the invention of the present application was made, owned by Microsoft Corporation. As such, *Vong* should be removed as a reference under 35 USC 103(c).

While Applicants traverse the Examiner's rejection of various claims under *Tuatini* and *Lee* below, such that it is not necessary for the claims to be amended, they have nonetheless been amended² to clarify the subject matter of the claims.

It will be noted that the claims of the application recite various embodiments that allow for data to be associated with an identity. The data can be used by a number of different applications used by an identity because the data is stored at a service in a schematized format that is understood by the different applications and the service. This eliminates the need for importing and exporting data between applications, or the need to reenter data for each application that an identity desires to use.

In particular, claim 1 is directed to a method from the perspective of an application desiring to operate on data associated with an identity. The method includes identifying data

¹ Although the prior art status of the cited art is not being challenged at this time, Applicant reserves the right to challenge the prior art status of the cited art at any appropriate time, should it arise. Accordingly, any arguments and amendments made herein should not be construed as acquiescing to any prior art status of the cited art.

² Support for the amendments can be found at least at paragraphs [0012], [0014], [0039], [0040], [0042], [0058], [0068], and [0069].

associated with an identity. The data is maintained by a service independent of an application seeking to operate on the data. The data is maintained as a data object organized into a data structure according to a schema recognized by a number of different applications and by the service. Control over access privileges associated with the data is retained by the identity such that the identity can grant or retract authorizations by modifying authorization data in the data structure. The method further includes formulating a request to operate on the data. Formulating the request includes constructing a network message that identifies the identity and identifies a schema associated with the data. The method further includes dispatching the network message to the service. The other independent claims are similar to claim 1. Claim 24 is a computer program product claim of claim 1. Claim 27 is a method recited from the perspective of the service. Claim 48 is a computer program product claim of claim 27. And claim 52 is an apparatus claim directed to a network.

Significantly, each of the claims recite that data associated with an identity is organized into a data structure according to a schema recognized by a number of different applications and the service. Notably, the teachings of *Tuatini* are in direct conflict with what is recited in these claim embodiments. In particular, *Tuatini* is directed to an architecture that allows applications to inter-communicate. (Abstract). While *Tuatini* does disclose the use of schemas, the use disclosed in *Tuatini* is in direct conflict with what is recited by the claims of the present application. For example, *Tuatini* discloses that a directory compiler inputs a schema of a directory and outputs the definitions of various interfaces and objects related to that directory. An application program uses the interfaces and objects to access the directory in an object oriented manner. (See [0169]). In other words, the application does not directly understand the schematized data as is recited in the claims of the present application, but rather requires schematized data to be translated into interface and object definitions that can be used by the application. Thus, *Tuatini* is in direct conflict, and in fact teaches away from the embodiments recited in the claims the present application. Specifically, *Tuatini* teaches adapting the directory structure to the functionality of an application rather than having applications which each understand the schematized data.

Lee also fails to compensate for at least the foregoing deficiencies of *Tuatini*. *Lee* teaches preventing conflicting requests for use of computer resources by allowing a client to lock a resource, assigning a unique identifier to the client to allow access to the resource, denying

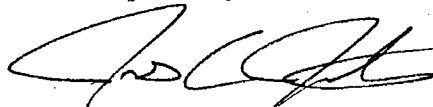
access to other clients if they are not able to present the unique identifier, and allowing a client to unlock a resource such that other clients can use the resource. Col. 4, lines 7-16. However, *Lee* is silent as to data associated with an identity, maintaining data in a data structure according to a schema recognized by a number of different applications and a service, and retaining access by an identity. Rather, *Lee* simply teaches resources that are available to a number of clients that are able to be locked when in use.

In view of the foregoing, Applicants respectfully submit that the other rejections to the claims are now moot and do not, therefore, need to be addressed individually at this time. It will be appreciated, however, that this should not be construed as Applicants acquiescing to any of the purported teachings or assertions made in the last action regarding the cited art or the pending application, including any official notice. Instead, Applicants reserve the right to challenge any of the purported teachings or assertions made in the last action at any appropriate time in the future, should the need arise. Furthermore, to the extent that the Examiner has relied on any Official Notice, explicitly or implicitly, Applicants specifically request that the Examiner provide references supporting the teachings officially noticed, as well as the required motivation or suggestion to combine the relied upon notice with the other art of record.

In the event that the Examiner finds remaining impediment to a prompt allowance of this application that may be clarified through a telephone interview, the Examiner is requested to contact the undersigned attorney.

Dated this 27th day of September, 2006.

Respectfully submitted,



RICK D. NYDEGGER
Registration No. 28,651
JENS C. JENKINS
Registration No. 44,803
J. LAVAR OLDHAM
Registration No. 53,409
Attorneys for Applicant
Customer No. 047973